

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

IN RE: AOK CONSTRUCTION, LLC,)	
)	
)	Case No. 09-34419
)	United States Bankruptcy Court,
)	Southern District of Texas
Debtor.)	(Chapter 7)
)	
<hr/> KIRBY-SMITH MACHINERY, INC.,)	
)	
Plaintiff,)	
)	
v.)	Adv. Proc. No. 09-1094
)	
AOK CONSTRUCTION, LLC, and)	
CONTINENTAL ENERGY SERVICES, LLC,)	OK County Case No. CJ-2009-3493
)	
Defendants,)	
)	
and)	
)	
BANK OF AMERICA, N.A.,)	
)	
Intervenor.)	

**KIRBY-SMITH MACHINERY, INC.'S STATEMENT
AS TO CORE OR NON-CORE PROCEEDING**

Plaintiff, Kirby-Smith Machinery, Inc. ("KSMI"), pursuant to Bankruptcy Rule 9027(e)(3), denies the allegation in the *Notice of Removal* (Doc. #1) filed July 8, 2009, that this proceeding is a core proceeding, and KSMI does not consent to the entry of final orders or judgment by the Bankruptcy Judge herein.

Respectfully Submitted,

s/ Clay P. Booth

Clay P. Booth, OBA #11767

- for the firm -

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Attorneys for Plaintiff, Kirby-Smith Machinery, Inc

CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of July, 2009, a true and correct copy of the above and foregoing *Kirby-Smith Machinery, Inc. 's State as to Core or Non-Core Proceeding* was served via Electronic Notification to Registered Participants as set forth in the Notice of Electronic Filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the ECF registrants listed on the "Electronic Mail Notice List" attached as Exhibit "A."

s/ Clay P. Booth

Clay P. Booth, OBA #11767

Mailing Information for Case 09-01094

Electronic Mail Notice List

The following is the list of **parties** who are currently on the list to receive e-mail notice/service for this case.

- Larry Glenn Ball lball@hallestill.com, sanderson@hallestill.com
- Jennifer K. Christian jchristian@dlb.net
- James K. Larimore jlarimore@dlb.net, asartin@dlb.net
- John T Richer jricher@hallestill.com, ndiacon@hallestill.com

